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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/653,674	09/02/2003	Hao Hou	1497/4	4593
25297	7590	08/16/2005	EXAMINER	
JENKINS, WILSON & TAYLOR, P. A.			ABELSON, RONALD B	
3100 TOWER BLVD			ART UNIT	
SUITE 1400			PAPER NUMBER	
DURHAM, NC 27707			2666	

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/653,674	HOU ET AL	
	Examiner	Art Unit	
	Ronald Abelson	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-12 and 22-35 is/are allowed.
- 6) ☒ Claim(s) 13-19 and 36-40 is/are rejected.
- 7) ☒ Claim(s) 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Claim Objections

1. Claim 17 objected to because of the following informalities: On line 2, "and" should be changed to "in". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 36, 39, and 40 rejected under 35 U.S.C. 102(e) as being anticipated by Pan (US 20040192294).

Regarding claim 36, Pan teaches a method for providing media stream handover in a media gateway (fig. 3 box 210, [0025], media gateway is capable of handover).

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Pan teaches (a) establishing a context having a first termination (fig. 3, see connection 306 to mobile 202, [0039], first connection line).

Pan teaches (b) in response to initiation of a handover event affecting the first termination, adding a second termination to the context (fig. 3, see connection line 228 to mobile 202, [0039], establish a third connection line, handover can occur), wherein adding the second termination includes pairing the second termination with the first termination (fig. 3, [0039], synchronizes the third connection line to the first connection line).

Regarding claim 39, the method of claim 36 wherein steps (a) and (b) are performed without using a conference bridge. Note, Pan does not teach nor suggest a conference bridge.

Regarding claim 40, removing the first termination from the context, thereby releasing resources associated with the first termination ([0042], disconnected the first communication line).

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Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 13-16, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pan in view of Rabenko (US 6,765,931).

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Regarding claim 13, Pan teaches a media gateway with improved handover support (fig. 3 box 210, [0025], media gateway is capable of handover).

Pan teaches a plurality of network interfaces for sending and receiving media streams to and from external networks (fig. 3, [0028], CDMA, TDMA, GSM).

Pan teaches a controller operatively associated with the network interfaces and voice processing resources for controlling the network interfaces and voice processing resources (note: a voice call is shown in fig. 3) to establish a context in the media gateway for a call between first and second end users (fig. 3 boxes 202, 204, [0029], media gateway is capable of managing calls between two or more stations), the context including first and second terminations ([0029], two stations: note the terminations are to mobiles 202 and 204), and, in response to a handover event associated with the call, for adding a third termination to the context (fig. 3, see line 228 to mobile 202, [0039], establish a third connection line, handover can occur), pairing the third termination with the first termination (fig. 3, [0039], synchronizes the third connection line to the first connection line), and switching communications between the first and second end users to proceed

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between the second and third terminations ([0039], handover can occur).

Although Pan teaches voice processing (fig. 3 see voice communication between mobiles 202 and 204), the reference is silent on a plurality of voice processing resources operatively associated with the network interfaces for processing the media streams received from the external networks.

Rabenko teaches a plurality of voice processing resources (fig. 3 box 160, 170) operatively associated with the network interfaces (CDMA, TDMA, GSM, col. 13 lines 38-51) for processing the media streams received from the external networks (col. 13 lines 38-51).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Pan by including within the media gateway the voice processing of Rabenko. This modification can be performed according to the teachings of Rabenko. The suggestion to modify is the voice processor supports traditional circuit switched networks as well as packet based networks (Rabenko: col. 31 lines 47-55). This would benefit the system by providing voice processing for TDMA, CDMA, and GSM networks. Note, the system of Pan supports TDMA, CDMA, and GSM networks.

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Regarding claim 14, the network interfaces include packet network interfaces for sending and receiving packetized media stream (Pan: CDMA, [0020]).

Regarding claim 15, the network interfaces include TDM/TDMA network interfaces for sending and receiving TDM/TDMA-encoded media stream (Pan: TDMA, [0020]).

Regarding claim 16, the network interfaces include packet interfaces for sending and receiving packetized media stream (Pan: CDMA, [0020]) and TDM/TDMA interfaces for sending and receiving TDM/TDMA-encoded media stream (Pan: TDMA, [0020]).

Regarding claim 18, the controller is adapted to create the third termination (Pan: fig. 3, [0039], establish a third connection line, handover can occur) and perform the switching between the first and third terminations (Pan: [0039], handover can occur from one connection to the other connection) without the use of a conference bridge. Note, Pan does not teach nor suggest a conference bridge.

Regarding claim 19, the controller is adapted to pair the first termination with the second termination (fig. 3, [0039],

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synchronizes the third connection line to the first connection line).

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Pan and Rabenko as applied to claim 13 above, and further in view of Picha (US 20040235477).

The combination is silent on the controller is adapted to create the third termination in response to commands from a media gateway controller.

Picha teaches the controller (fig. 1 box 28A) is adapted to create the third termination in response to commands from a media gateway controller (fig. 1 box 26, [0029], media gateway controller modifies the context in the media gateway to set up the connection to the new link).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of the combination of Pan and Rabenko by incorporating within the system a media gateway controller. This modification can be performed according to the teachings of Picha (fig. 1). The suggestion to modify is media gateway controller will be able to provide the "call processing intelligence" to a plurality of media gateways (Picha: [0018]). This will benefit the system to make it applicable to a larger

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network wherein a single media gateway controller can control a plurality of media gateways.

7. Claim 37 rejected under 35 U.S.C. 103(a) as being unpatentable over Pan as applied to claim 36 above, and further in view of Picha (US 20040235477).

Pan is silent on pairing the second termination with the first termination includes sending a command from a media gateway controller to the media gateway for pairing the second termination with the first termination.

Picha teaches pairing the second termination with the first termination includes sending a command from a media gateway controller (fig. 1 box 26) to the media gateway (fig. 1 box 28A) for pairing the second termination with the first termination (fig. 6 step 110, [0029], media gateway controller modifies the context in the media gateway to set up the connection to the new link, fig. 6 step 115, [0029], media gateway controller sends a command to the media gateway to modify the topology, thereby creating a full duplex connection and achieving the hard handover). Note, in order to achieve hard handover, the "new link" must be paired with the termination associated with the mobile before handover. The examiner maintains that the step of

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the media gateway controller sending a command to the media gateway to modify the topology performs the step of "pairing".

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Pan by incorporating within the system a media gateway controller. This modification can be performed according to the teachings of Picha (fig. 1). The suggestion to modify is media gateway controller will be able to provide the "call processing intelligence" to a plurality of media gateways (Picha: [0018]). This will benefit the system to make it applicable to a larger network wherein a single media gateway controller can control a plurality of media gateways.

8. Claim 38 rejected under 35 U.S.C. 103(a) as being unpatentable over Pan as applied to claim 36 above, and further in view of Kung (US 20040228336).

Pan is silent on the first and second terminations are capable of receiving at least one of tones and announcements from an announcement server within the media gateway.

Kung teaches the first and second terminations are capable of receiving at least one of tones and announcements from an announcement server within the media gateway (fig. 2 box 220, [0051], user receives options for contacting third party,

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announcement server may have information entered by a user using, for example, a broadband residential gateway to provide additional information to the called party).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of by connecting the media gateway of Pan to an announcement server. This modification can be performed according to the teachings of Kung. The suggestion to perform this modification is to enable the called party to receive additional information (Kung: [0051]). This would benefit the system by allowing the caller to leave a message or type in a chat note ([Kung: [0051])).

Allowable Subject Matter

9. Claims 1-12 and 22-35 are allowed.
10. Claims 20 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ra
Ronald Abelson
Examiner

Ronald Abelson